

IN RE: ESMERALDO DELGADO PACHECO

Bkrcty. No. 11-06810-BKT

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Aug 12, 2011</u>	Meeting Date: <u>Sep 21, 2011</u>	DC Track No. <u>14</u>						
Days from petition date: <u>40</u>	Meeting Time: <u>11:00 AM</u>							
910 Days before Petition: <u>2/13/2009</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Sep 15, 2011 Dkt.#10</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>1st</u> Bankruptcy petition.	Plan Base: <u>\$21,370.00</u>							
This is the <u>1st</u> Scheduled Meeting	Confirmation Hearing Date: <u>Nov 04, 2011</u>	Time: <u>2:30 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$0.00</u>
Ck/MO No.	Date	Amount						

I. <u>Appearances:</u> <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference			<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent	
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath.			
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present			
<input type="checkbox"/> Substitute attorney: <u>Ade Hernandez, Esq.</u> <input type="checkbox"/> Pro-se.			

II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>MARILYN VALDES ORTEGA*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$155.00</u>	Outstanding: <u>\$2,845.00</u> THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss: <input type="checkbox"/> For Failure to appear; <input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting	
Debtor(s) Income is (are) <input checked="" type="checkbox"/> Under <input type="checkbox"/> Above Median Income.	Liquidation Value: <u>8</u>
Commitment Period is <input checked="" type="checkbox"/> 36 <input type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>8</u>
<u>The Trustee</u> <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS <u>Plan confirmation.</u>	
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input checked="" type="checkbox"/> CLOSED <input type="checkbox"/> HELD OPEN FOR ___ DAYS	
§341 Meeting Rescheduled for: _____	

V. Trustee's OBJECTIONS to Confirmation:	
<input type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED
<input checked="" type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Failure to comply with Tax returns requirements. [§1308]
<input checked="" type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith [§1325(a)(3)]
<input type="checkbox"/> To pay \$507	<input type="checkbox"/> Fails Creditor's Best Interest Test [§1325(A)(4)]
<input type="checkbox"/> Unfair Discrimination [§1322(a)(3)]	

ADDITIONAL OBJECTIONS / COMMENTS:

- ① Submit evidence of being current in DSO post petition payment.
- ② Submit evidence of salary received in February 2011.
- ③ Plan must include a step up payment after retirement maturity date.

/s/ José R. Carrión
Trustee/s/ [Signature]
Presiding Officer

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Date: Sep 21, 2011


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ADDITIONAL OBJECTIONS / COMMENTS:

Retirement loans matures on September 30, 2012.

If Debtor returns to work, he must inform the Court, and amend Schedule I accordingly. Debtor is currently receiving benefits from the State Insurance Fund.


Trustee / Presiding Officer

Date: Sept 21, 2011